

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JERRY D. GOODWIN, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ANADARKO PETROLEUM CORPORATION,  
JAMES T. HACKETT, ROBERT G. GWIN  
and M. CATHY DOUGLAS,

Defendants.

Civil Action No. 10 cv 04905 (PGG)

ECF Case

SHIRLEY HARRIS, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ANADARKO PETROLEUM CORPORATION,  
JAMES T. HACKETT, ROBERT G. GWIN  
and M. CATHY DOUGLAS,

Defendants.

Civil Action No. 10 cv 05894 (UA)

**RESPONSE OF MOVANT, THE PENSION FUNDS INVESTORS' GROUP,  
TO COMPETING MOTION FOR APPOINTMENT AS LEAD PLAINTIFF**

On August 23, 2010, pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the "Exchange Act"), as amended by the Private Securities Litigation Reform Act of 1995 (the "PSLRA"), 15 U.S.C. § 78u-4(a)(3)(B), the Pension Funds Investors' Group (consisting of the International Union of Operating Engineers Pension Fund, Hallandale Beach Police Officers' and Firefighters' Personnel Retirement Fund and Miramar Police Officers' Retirement Plan and Trust Fund) moved for, *inter alia*, appointment as lead plaintiff in connection with the above-captioned

securities fraud class actions. The only other motion for appointment as lead plaintiff was filed by the Pension Trust Fund for Operating Engineers and the Employees' Retirement System of the Government of the Virgin Islands (the "Competing Movant").

The PSLRA provides that there is a presumption that "the most adequate plaintiff ... is the person or group of persons" that, *inter alia*, "has the largest financial interest in the relief sought by the class." 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). In recognition of the reported losses of the Competing Movant, which amounts to more than \$1,150,000.00 based on the papers submitted on its behalf, and since there is no apparent basis to challenge the presumptive status of the Competing Movant as the most adequate lead plaintiff, the Pension Funds Investors' Group respectfully submits that the Competing Movant should be appointed as Lead Plaintiff and that its choice of counsel, Bernstein Litowitz Berger & Grossman LLP (which is an experienced and well respected firm that has the skills and resources necessary to zealously and appropriately represent the interests of the Class), should be approved as Lead Counsel.<sup>1</sup> To the extent the Court determines that the Competing Movant should not be appointed as lead plaintiff for any reason, the Pension Funds Investors' Group stands ready to serve as the lead plaintiff or, in the alternative, as a class representative, should the Court or any appointed lead plaintiff deem such designation appropriate and just under all of the circumstances.

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<sup>1</sup>The Pension Funds Investors' Group purchased a total of 14,282 shares of Anadarko common stock during the Class Period and, after subtracting for shares sold and retained, has suffered estimated losses in excess of \$147,000.00.

Dated: September 3, 2010

SHEPHERD, FINKELMAN, MILLER & SHAH, LLP

/s Patrick A. Klingman

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